

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Martinez Aytch,

Plaintiff

v.

Bed Bath & Beyond,

Defendant

Case No.: 2:22-cv-02016-JAD-BNW

**Order Adopting Report and  
Recommendation and Dismissing Case**

[ECF No. 5]

Martinez Aytch sues Bed Bath & Beyond, alleging that its failure to follow Occupational Safety and Health Act (OSHA) regulations caused him injury. Because he is proceeding *in forma pauperis*, the magistrate judge screened his complaint, found it failed to state a viable claim, and dismissed that complaint with leave to amend by January 15, 2023. The plaintiff was warned that his failure to file an amended complaint by that deadline would result in a recommendation that this case be dismissed.<sup>1</sup> When the plaintiff filed nothing by that deadline, the magistrate judge entered a report and recommendation that this case be dismissed.<sup>2</sup> The deadline for the plaintiff to object to that recommendation was February 9, 2023, and he neither filed objections nor moved to extend the deadline to do so. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”<sup>3</sup> Having reviewed the R&R, I find good cause to adopt it, and I do.

IT IS THEREFORE ORDERED that the Magistrate Judge’s Report and

<sup>1</sup> ECF No. 3 at 4.

<sup>2</sup> ECF No. 5.

<sup>3</sup> *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 Recommendation **[ECF No. 5]** is **ADOPTED** in its entirety. This case is DISMISSED, and the  
2 Clerk of Court is directed to ENTER JUDGMENT ACCORDINGLY and CLOSE THIS CASE.

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U.S. District Judge Jennifer A. Dorsey  
February 13, 2023